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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND BRANCH

14 UNITED STATES OF AMERICA,) No. CR 12-00480 YGR
15 Plaintiff,)
16 v.)
17 BURTON ORVILLE BENSON, and) STIPULATION AND
ERIC BURTON BENSON,) ORDER TO CONTINUE STATUS
18 Defendants.) CONFERENCE TO JAN. 31, 2013
19 _____)

21 The above-captioned matter is currently set on December 6, 2012, before U.S.
22 District Judge Yvonne Gonzalez Rogers for a status hearing. This will be the parties'
23 second appearance before the Court. Since the first appearance, the government has
24 produced an additional 30,000 pages of materials obtained from search warrants. The
25 parties agree and stipulate that the defense needs additional time to review these
26 materials. Therefore, the parties jointly request and stipulate that the matter be continued
27 to January 31, 2013 at 2:00 p.m., and that the Court exclude time under the Speedy Trial

**STIPULATION AND EXCLUSION OF TIME
CR 12-00480 YGR**

1 Act between December 6, 2012 and January 31, 2013. The parties stipulate that the time
2 is excludable from the time limitations of the Speedy Trial Act because the interests of
3 justice are served by granting a continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A) and
4 (B)(iv).

5 This continuance will allow the reasonable time necessary for effective preparation
6 and for continuity of counsel taking into account the exercise of due diligence. As such,
7 the parties respectfully request that the time between December 6, 2012 and January 31,
8 2013 be excluded under U.S.C. § 3161(h)(7)(A) and (B)(iv).

9 SO STIPULATED.

10 Dated: November 30, 2012

11 _____ /s/
KESLIE STEWART
Assistant United States Attorney

12 Dated: December 3, 2012

13 _____ /s/
ISMAEL RAMSEY
Counsel to Defendant Burton Benson

15 Dated: November 30, 2012

16 _____ /s/
WILLIAM KIMBALL
Counsel to Defendant Eric Benson

18 **ORDER**

19 Based on the reasons provided in the stipulation of the parties above, the Court
20 hereby FINDS that for adequate preparation of the case by all parties, and in the interest
21 of justice, pursuant to 18 U.S.C. sections 3161(h)(7)(A) and (B)(iv), an exclusion of time
22 is warranted under the Speedy Trial Act. Based on these findings, IT IS HEREBY
23 ORDERED THAT the hearing is continued until January 31, 2013 at 2:00 p.m. before the
24 District Court, and time is excluded until January 31, 2013.

25
26 **IT IS SO ORDERED.**

27 DATED: December 3 , 2012


YVONNE GONZALEZ ROGERS
United States District Judge

28 STIPULATION AND EXCLUSION OF TIME
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